REMARKS

This communication is filed in response to the Office Action dated March 26, 2008, and the Appeal Decision dated September 27, 2011. Claims 9, 25, and 41 are amended. No claims are canceled. Claims 1-8, 10, 17-24, 33-40, 42, 49-57, 60-1, 64-65, 68-70, and 74 were previously canceled. No claims are added. Therefore, claims 9, 11-16, 25, 27-32, 41, 43-48, 58-59, 62-63, 66-67, 71, 73, and 75 remain pending in this application.

The amendments are supported by, at least, paragraphs [0026] and [0030] of Applicant's Published Specification.

§ 103 Rejection of the Claims

Claims 9, 11-15, 25 and 41-47 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,397,221 to Greef et al. (hereinafter "*Greef*"). As the Supreme Court stated in *KSR Int'l Co. v. Teleflex Inc.*,[1] the factual inquiries announced in *Graham v. John Deere*[2] (scope and content of the prior art; differences between the claimed invention and the prior art; level of ordinary skill in the art; and secondary indicia of non-obviousness), remain the foundation of any determination of obviousness.[3] It remains true that ''[t]he determination of obviousness is dependent on the facts of each case.''[4] Applicants will show that, under the facts of this case, independent claims 9, 25, and 41, and their respective dependent claims, are patentable over *Greef*.

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[1] *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398 (2007).
[2] *Graham v. John Deere*, 383 U.S. 1, 17–18 (1966).
[3] *See* Examination Guidelines Update: Developments in the Obviousness Inquiry After KSR v.Teleflex, Federal Register / Vol. 75, No. 169 / Wednesday, September 1, 2010 / Notices, p. 53644 (hereinafter "2010 KSR Guidelines").
[4] *Sanofi-Synthelabo v. Apotex, Inc.*, 550 F.3d 1075, 1089 (Fed. Cir. 2008) (citing Graham, 383 U.S. at 17–18 (1966)).

Each of independent claims 9, 21, and 41, as amended, recites, in part,

> detecting a selection by said user of a subcategory entry of said plurality of subcategory entries;
>
> providing a category number associated with said selected category entry and said selected subcategory entry to be displayed for said user in said display window;
>
> receiving said category number from said user; and
>
> based on said receiving of said category number from said user, providing category information corresponding to said category number, said category information enabling said selection of said category entry of said category field and said selection of said subcategory entry of said subcategory field to be displayed without requiring another selection by said user of said category entry of said category field and another selection by said user of said subcategory entry of said at least one subcategory field.

According to the Appeal Board, "the Examiner correctly characterized the scope and content of Greef in finding that it discloses the claim limitation 'providing a category number associated with said selected category entry to be displayed for said user in said display window.'"[5] However, *Greef* does not disclose "based on said receiving of said category number from said user, providing category information corresponding to said category number," much less category information that "enable[s] said selection of said subcategory entry of said subcategory field to be displayed without requiring another selection by said user of said category entry of said category field and another selection by said user of said subcategory entry of said at least one subcategory field," as recited in each of amended independent claims 9, 21, and 41.

Because *Greef* does not teach or suggest at least the above recitations of each of independent claims 9, 25, and 41, independent claims 9, 25, and 41, and their respective dependent claims, are patentable over *Greef*. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 9, 11-15, 25 and 41-47 under 35 U.S.C. § 103(a).

[5] Appeal Board Decision at 5.

Claims 16, 32, 48, 58-59, 62-63, 66-67, 71, 73 and 75 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Greef* in view of U.S. Publication No. 2005/0071581A1 to Linden et al. (hereinafter "*Linden*"). However, claims 16, 32, 48, 58-59, 62-63, 66-67, 71, 73 and 75 are dependent on independent claims 9, 25, and 41. Thus, they are deemed to include every limitation of the claims they are dependent upon. The difference between claims 9, 25, and 41 and the disclosure in *Greef* is not remedied by the disclosure of *Linden*. Thus, Applicant respectfully submits that, at least for the reasons noted above, the obviousness rejection of claims 9, 25, and 41 over the combination of *Greef* and *Linden* is in error. As such, at least for the same reasons articulated above with respect to the independent claims 9, 25, and 41, dependent claims 16, 32, 48, 58-59, 62-63, 66-67, 71, 73 and 75 are not rendered obvious by *Linden*. Therefore, these claims are also allowable.

Accordingly, Applicant respectfully requests that the claim rejections under 35 U.S.C. § 103(a) be reconsidered and withdrawn.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to contact the undersigned representative by email (kiverson@slwip.com) or phone (408-660-2016) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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